

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:09 CR 693 RWS
)	
KELVIN MILLER,)	
)	
Defendant.)	

ORDER

This matter is before on the Memorandum, Order and Report and Recommendation of the United States Magistrate Judge.

Kelvin Miller filed the following pretrial motions: Motion of Defendant for Discovery and Inspection and for Production of Favorable Evidence [doc.#82]; Defendant's Motion to Disclose the Identification of Informant [doc. #84]; Defendant's Motion for Disclosure of Possible Rule 404(b) Evidence [doc.# 85]; Defendant's Motion for Severance of Counts and Separate Trial on Felon in Possession Case [doc.# 86]; and Defendant's Motion to Suppress Seized Evidence and Statements [doc. #83].

Pursuant to 28 U.S.C. § 636(b), these motions were referred to United States Magistrate Judge Terry I Adelman.

Judge Adelman held an evidentiary hearing on January 20, 2012.

After considering the parties' written arguments and the evidentiary hearing Judge Adelman issued his Report and Recommendation on February 9, 2012.

After considering Judge Adelman's Memorandum, Order and Recommendations, the evidentiary hearing transcript and the relevant case law, I adopt and sustain the thorough reasoning of Judge Adelman set forth in support of his recommended rulings.

Accordingly,

IT IS HEREBY ORDERED that the Memorandum, Order and Recommendation of the United States Magistrate Judge [#112] is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

IT IS FURTHER ORDERED that the Motion of Defendant for Discovery and Inspection and for Production of Favorable Evidence [doc.#82] is granted in part and denied in part.

IT IS FURTHER ORDERED that the Defendant's Motion to Disclose the Identification of Informant [doc. #84] is denied as moot.

IT IS FURTHER ORDERED that the Defendant's Motion for Disclosure of Possible Rule 404(b) Evidence [doc.# 85] is granted.

IT IS FURTHER ORDERED that the Defendant's Motion for

Severance of Counts and Separate Trial on Felon in Possession Case [doc.# 86]
is denied as moot.

IT IS FURTHER ORDERED that the Defendant's Motion to Suppress
Seized Evidence and Statements [doc. #83] is denied as moot.

IT IS FINALLY ORDERED that this matter remains set for a **jury**
trial on Monday, July 9, 2012 at 9:00 a.m.

A handwritten signature in cursive script, appearing to read "Rodney W. Sippe", is written over a horizontal line.

RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 18th day of June, 2012.